

# **Exhibit 64**

**From:** Irene Newman <INewman@zenithadmin.com>  
**Sent:** Friday, April 23, 2010 10:17 AM  
**To:** mjlmbl@aol.com; David Tharp <dtharp@ikorcc.com>; Wnix@industrialcontractors.com  
**Cc:** MaryJayne Mahern <mjmahern@ikorcc.com>  
**Subject:** FW: Talking points for Indiana, related to Retail 90 programs

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**Irene Newman**  
CLIENT SERVICES MANAGER

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BETTER SYSTEMS FOR BETTER SERVICE

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**From:** Gerber, Bart [[mailto:bart\\_gerber@medco.com](mailto:bart_gerber@medco.com)]  
**Sent:** Friday, April 02, 2010 10:06 AM  
**To:** Irene Newman  
**Cc:** Whitson, Charles; Zollo, Louis  
**Subject:** Talking points for Indiana, related to Retail 90 programs

Hi Irene,

At the 3/17 Board meeting, Mike Lauer mentioned that it would be helpful to have some talking points in case any members ask Zenith or the Trustees about the retail pharmacy 90 day programs some chains (such as Walmart & Kmart) are offering.

Listed at the bottom of this email is the full text on this topic, but I've created some succinct talking points as well:

- Using the Medco prescription card will allow for health & safety edits to trigger. These edits look for harmful drug-to-drug interactions. If the Medco card is not used, these edits will not trigger.
- Using the Medco prescription card will allow members to benefit from the \$4 generic copay being offered for a 30 day supply. The 90 day supply however will not be allowed due to Indiana/Kentucky plan limitations.
- Pharmacies that are presented with a Medco card are required to process the claim via the Medco benefit or they will be subject to audit and sanctioning.

Let me know if I can be of further assistance. If I don't speak to you today, have a happy holiday.

**Bart Gerber**

Account Executive

medco

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Medco is aware that many retailers in the market place offer low cost generic programs, and monitors these offerings. Medco has found that the low cost generic programs vary from retailer to retailer; some programs are offered free of charge to patients whereby the low cost generic price can be submitted via the U&C field through Medco's TelePAID system (for example, the \$4 Wal\*Mart generic program), other programs include membership fees to gain access to a member-only price that differs from the pharmacy's U&C price (for example the program offered by Walgreens); other programs are marketed towards uninsured populations, and other programs offer a small list of free generic drugs.

Medco requires pharmacies in our networks to process all retail claims via our *TelePAID*® claims system when an eligible member presents their Medco card, as well as submit its U&C pricing with the claim. Claims processed through programs such as Wal\*Mart's \$4 generics program and adjudicated via our TelePaid system are audited by Medco's Retail Pharmacy Audit Department to ensure accurate U&C pricing submission. Compliance with the Pharmacy Services Manual, including the U&C provision, is reviewed during Medco's meetings with Pharmacy Chain representatives

All claims submitted through Telepaid undergo Medco's drug utilization review. It is a contractual obligation of pharmacy's to submit claims electronically via Telepaid when a member presents their Medco ID card. Pharmacies who do not comply are subject to audit review and sanctioning. Additionally, plan limitations may apply. For example, members whose benefit allows up to a 30 days supply at retail will not be able to obtain a 90 days supply at the retailers' low cost generic price; rather members needing to obtain maintenance medications should use Medco By Mail where they can enjoy low prices as part of Medco's Low Cost Generic Program.

In instances where a Medco card holder pays to enroll in one of the retailers' low cost generic programs, it is the decision of the member as to which card and/or benefit they would like to utilize for the filling of their prescription, as only one benefit card can be used at the point of sale. When a member opts to utilize the retailer's member-only price, the claim is adjudicated outside of his/her Medco benefit and forfeits the benefit of Medco's drug utilization review. Claims processed outside of the Medco benefit cannot be audited by Medco. Pharmacies that are presented with a Medco card and do not process claims via the Medco benefit are subject to audit and sanctioning. Admittedly, it is difficult to determine if it was the member or the pharmacy who chose not to utilize the Medco benefit; however, Medco does retain full audit rights with all of its retail pharmacies.

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